



Town of Garrett Park
PO Box 84
4600 Waverly Avenue
Garrett Park, MD 20896

Regular Meeting of Town Council
Garrett Park Town Hall
10814 Kenilworth Avenue
Garrett Park, MD 20896

Town Council Meeting: September 9, 2019

MINUTES

Call to Order – Mayor Kacky Chantry called the meeting to order at 7:36 PM. Present were Councilmembers Phil Schulp, Dan Simons, Stephen Paczkowski, and Hans Wegner. Also present were Town Manager Andrea Fox, Town Assistant Elizabeth Henley, Ken Schwartz representing the Bugle, videographer Dave Lent and approximately seven Town residents.

Mayor's Opening Remarks – The Town received notification that though SHA recognized potential opportunities to add sidewalk and pedestrian safety features along the south side of Strathmore near the Holy Cross Academy entrance, it will not coincide with the stormwater infrastructure installation currently taking place. SHA is open to having a field walk with surrounding communities, and there may be an opportunity for something to happen in the future. Appreciation was expressed for the support of the LD 18 officials during this process. The FY19 end of year closing is occurring now. The estimated carryover from FY19 into FY20 is more than \$345,000.

Approval of Agenda – It was noted that a previous draft of the agenda had an item for Councilmember McClintock's resignation. That agenda item has since been removed. The New Business section of the agenda was amended to add "Town Council Retreat" as the first item and "Process to Approve Councilmembers Seat Including Process to Vacate" as the last item. The agenda was unanimously approved as amended.

Approval of Minutes

- July 8, 2019 Regular Meeting. Amended to change the New Business section, Accessory Dwelling Units item, last two sentences to now read, "The County Council is likely to pass it, and there will be a need for more study about how to address this for Garrett Park." The minutes were unanimously approved as amended.
- July 28, 2018 Special Meeting, August 1, 2018 Work Session, and August 13, 2018 Regular Meeting minutes were unanimously approved, and it was agreed that any remarks, resolutions, or other documents referred to in the minutes are considered attachments and not part of the actual minutes.

Action

- Town Manager Fox requested approval for the Town to enter into a contract with Bethke Landscaping, Inc. for the Town's leaf removal services for the period from October 15 – December 15. The contract is for one year, with two additional option years. Bethke was selected as part of a competitive procurement process. Council asked Town Manager Fox to learn more about if Bethke could compost the leaves as part of their removal process beginning in Year 2. Councilmember Wegner made a motion to approve the contract, Councilmember Paczkowski seconded the motion, and Council unanimously approved the request.

New Business

- The Town Council Retreat scheduled for September 21st will be rescheduled to a date from October 22nd to 30th, so that the new Councilmember may hopefully participate.
- Two Town Council meetings were moved since the originally scheduled dates are Federal Holidays - the October 14 Town Council meeting was moved to October 21 and the November 11 Town Council meeting was moved to November 18.
- Mitigating tree loss on private property with building permits and demolitions – Mayor Kacky and Council agreed that mitigating tree loss is an important issue and the suggestion was made for Mayor Kacky to ask the Arboretum Committee to further investigate the issue and make a recommendation on the circumstances where it may be appropriate to protect certain trees. It was noted that there are six properties in Town that are on the National Historic Register but not on the County Master Plan (in the County's contiguous district). For houses in the County's historic plan, tree work must be reviewed by the County.
- Process to Approve Councilmembers Seat Including Process to Vacate – Councilmember Schulp kicked off a discussion regarding the process that Council uses to select a candidate when a Council seat is vacated, and the process that is used to vacate the seat. Town Manager Fox repeated the Town Attorney's guidance on best practices that included keeping the process open and transparent to the Town. Although this process is considered an administrative action and not subject to the Open Meetings Act, Mayor Kacky and Council agreed that it would be helpful for Council to create a memo for the record that provides clarity on the protocol and process used, and the respective responsibilities of the Town Office and the Council. For the Council seat that will soon be vacated by Councilmember McClintock (no later than the October Town Council meeting), Council decided that given the short turnaround time and the Labor Day holiday, the deadline will be extended for candidates to submit their interest, and candidates will be asked to provide additional information. Council will then preliminary decide who they would like to elect, Councilmember McClintock will submit an official resignation, and the new candidate will be elected by majority vote of remaining council members.

Town Updates

- Safe Routes to School (SRTS) Project – Mayor Kacky updated Council that the State Highway Administration (SHA) now has all the necessary paperwork, and the Office of Construction is reviewing the Concurrence in Award package to make the final determination. Since the lowest bidder withdrew with a formal letter of request, SHA asked that Mayor Kacky formally agree in writing to the withdrawal request. The Code of Maryland Regulations references concurrence by the State Attorney General for bid withdrawals so SHA is following up with the Attorney General Office. The State has agreed to fund the full amount of the recommended bidder, with the Town contributing the \$40,000 previously approved by Council. If a Notice to Proceed is issued soon, work may start in October.
- Stormwater Task Force – Councilmember Wegner informed Mayor Kacky and Council that a task force meeting is scheduled for Wednesday, September 11, and will focus on two projects – lower Kenilworth/Rokeby and Clermont Avenue. The goal is to figure out where we are, and what additional information is needed. There are revised reports from the Town's contract engineer, Clark Azar, and impacted neighbors have been invited to attend. Mayor Kacky asked Chuck Berry to Chair the task force. Councilmember Paczkowski recommended reviewing Land Use Task Force reports.
- Town Hall Renovation Planning – Councilmember Paczkowski shared that Town Senior Maintenance Assistant George Miller has been painting Town Hall and a lot of the siding is arguably beyond repair. Some of the Town Hall exterior has original features, but some does not. An application will be submitted to the County to replace the non-original siding and paint it so that there is a long-term solution that is historically sound.

- Land Use and Historic Preservation – Councilmember Paczkowski previously explained the context of the County relaxing the rules to allow for Accessory Dwelling Units (ADUs). This zoning amendment goes into effect in December. Between now and then, some work will need to be done to understand the final language and how it interacts with Garrett Park zoning, and where specific regulations may be needed, i.e. large lots and corner lots. The Historic Preservation Committee meeting will be rescheduled.
- Archives – Councilmember Schulp shared that the Town Archivist is working on state records regulations and categorizing items in Penn Place and Town Hall.
- Traffic and Parking – Councilmember Schulp shared that some parking signs have gone up, and more will be installed. The Traffic and Parking Committee will meet again soon. Mayor Kacky contacted the County legal division regarding enforcement of parking, and it is stuck in the legal process. A next step is to reach out to County Executive Elrich's Office. A safety concern was raised regarding limited visibility on the hill at Argyle and Kenilworth due to the cars parked at the corner and the bamboo. Town Manager Fox explained that on corner lots, the Town Code prohibits shrubs or plantings higher than 3 feet in height within 20 feet of the curb line. Town Manager Fox is working with the homeowners of two Town properties to address this issue. Councilmember Schulp will look into the parking issue.
- Strathmore Hill pedestrian warning light – Councilmember Wegner reported that SHA conducted two traffic surveys at the intersection of Strathmore and Keswick, including one on a weekend when the pool was active. The counts warrant an additional flashing light. The Planning Office at SHA will review the findings, which takes 45 days. Councilmember Wegner is hopeful to have this resolved before the next swim season and will reach out to Senator Waldstreicher if needed.

Town Manager's Report

- Town Manager Fox reported that the July and August Revenues, Operations, and Capital Budgets are at expected levels. The Monthly Manager's Report was reviewed. There was one new building permit issued since the last Town Council meeting.

Mayor Kacky adjourned the meeting at 9:27 PM.



Signed,

Andrea Fox

Andrea Fox, Clerk-Treasurer

